IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

Bail Appl..No. 2615 of 2007()

(CRIME NO.81/2007 OF PANDALAM POLICE STATION)

PETITIONERS/ACCUSED NO.1 AND 2 IN CR.NO.81/2007:

1. **MATHAIKUTTY, AGED 42 YEARS,**
   S/O. SAMUEL, RESIDING AT PANAVILAYIL HOUSE,
   NADUVILAI MURI, THUMPAMON P.O., PANDALAM
   THAKKAKARA VILLAGE, ADOOR TALUK, PATHANAMTHITTA.

2. **MURALEEDHARAN NAIR, AGED 52 YEARS,**
   S/O. GOPALA PILLAI, RESIDING AT CHARUTHRITHIL
   VEEDU, THUMPAMON P.O., PANDALAM THAKKAKARA
   VILLAGE, ADOOR TALUK, PATHANAMTHITTA.

BY ADV. SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT: COMPLAINANT IN CR.NO.81/2007:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT. MEERA.K.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2615 of 2007

DATED: 2-5-2007

O R D E R

Petitioners who are the accused Nos. 1 and 2 in Crime No. of 81 of 2007 of Pandalam Police Station for an offence punishable under Sec. 409 read with sec. 34 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between **9-5-2007 and 11-5-2007** for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced on the same day before the Magistrate who shall release the petitioners on bail on appropriate conditions.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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